

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

CEDRIC JONES

PETITIONER

VS.

CIVIL ACTION NO. 5:11-CV-160-DCB-RHW

ARCHIE LONGLEY, Warden

RESPONDENT

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge, after referral of hearing by this Court, and there being no objections thereto filed by either party, and the Court, having fully reviewed the Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court. Since Cedric Jones has failed to establish that the remedy provided for under § 2255 is inadequate or ineffective to test the legality of his detention, he may not challenge his sentence in a 28 U.S.C. §2241 petition and this Court is without jurisdiction to consider it.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge Robert H. Walker be, and the same is hereby, adopted as the finding of this Court, and the 28 U.S.C. §2241 petition of Cedric Jones is dismissed.

A separate judgment will be entered herein in accordance with the Order as required by

Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 24TH day of September, 2012.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE